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SUBJECT: NGO REPRESENTATIVES CONCERNED ABOUT IMPLEMENTATION  
OF NEW LAW

Classified By: Political Minister-Counselor Kirk Augustine. Reason 1.4  
(b, d)

¶1. (C) SUMMARY. DRL Deputy Assistant Secretary Erica Barks-Ruggles discussed the controversial NGO law and the broader human rights and democracy situation in Russia with a range of NGO representatives on May 30-31. She expressed support for NGOs in Russia and asked about current trends for civil society in light of the new law. The universally worried NGO representatives expressed concern about the vagueness of the law, particularly with regard to groups perceived to be involved in "political activities," and believed that it would be used selectively against organizations to which the Kremlin objected. They agreed that such a crackdown would likely begin only after the G-8 Summit and that several groups would likely be targeted as examples to increase pressure on others to self-censor. Some representatives said that involving the Public Chamber more in their activities would strengthen their organizations' ability to survive in the current environment, while others were wary of working with that Kremlin-sponsored institution.  
END SUMMARY.

¶2. (C) During a May 30-31 visit to Moscow, DRL Deputy Assistant Secretary Erica Barks-Ruggles held meetings with a range of NGO representatives to discuss the controversial NGO law as well as the broader human rights and democracy challenges in Russia. Participants included:

Yelena Abrosimova, IREX  
Manana Aslamazyan, Internews  
Allison Gill, Human Rights Watch  
Joe Johnson, International Republican Institute (IRI)  
Gillian McCormak, Internews  
Mary O'Hagan, National Democratic Institute (NDI)  
Tatyana Raguzina, American Chamber of Commerce  
Grigoriy Shvedov, Memorial  
Aleksey Simonov, Glasnost Defense Foundation

¶3. (C) Barks-Ruggles emphasized throughout the visit that a healthy civil society was important to strengthen Russia and was also in U.S. interests. Her meetings represented a wider effort by the USG to assist civil society in Russia. Barks-Ruggles said the U.S. and European partners are coordinating efforts to support NGOs in Russia as well as to respond to the harassment of NGOs in that and other countries. She said the USG wanted to help NGOs in Russia in a constructive manner and asked about the current atmosphere in the wake of the passage of the NGO law.

NGO LAW - SERIOUS CONCERNS ABOUT IMPLEMENTATION  
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¶4. (C) Raguzina told Barks-Ruggles that in a May 25 meeting with foreign NGOs, Aleksey Zhafyarov from the Federal Registration Service (FRS) stated that NGOs would be fine as

long as they stayed away from "politics." Raguzina noted, however, that Zhafyarov had not defined what constituted "politics" and that the FRS likely had not defined "political activity." O'Hagan added that when asked by one of NDI's employees after the May 25 meeting what Zhafyarov meant by "politics," he had not given a clear answer. Abrosimova noted that in a separate meeting with Russian NGOs, Zhafyarov stated that "political activity" involved support for political parties or certain types of electoral activity, such as campaigning for candidates. The concept was so vague that it was open to wide interpretation, giving authorities latitude to restrict any NGOs engaged in activities not to the government's liking.

15. (C) O'Hagan suggested the authorities would not target specific activities, but specific organizations. Aslamazyan believed that the NGO law would be used selectively against organizations to which the Kremlin objected. The unofficial message that she had received in discussions with the authorities was that an organization would be in trouble if it was on a "target list" of NGOs. There was general agreement from all the representatives on this point, as well as the sense that such a crackdown will only begin after the G-8 Summit concludes. Aslamazyan noted that the new law would make it easy for the Kremlin to shut down any organization it did not like. All representatives noted that it was likely the government would target a few select NGOs, with the expectation that this would pressure others to self-censor. The government, they believed, was correct in this assessment.

16. (C) Gill expressed concern that specific NGOs would be targeted for political reasons, while some organizations would run into difficulties simply due to the chaos surrounding the implementing process. Additionally, the law

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might be used against small NGOs that ran afoul of local and regional authorities. Shvedov noted that many NGOs could also run into problems with corrupt officials using the law to harass NGOs as well as purely bureaucratic issues, which would be difficult to differentiate from political harassment.

17. (C) Gill said the law was similar to one passed in Uzbekistan a few years ago and constituted a breach of Russia's commitment to the European Convention. Under the new law, reporting requirements for NGOs were particularly burdensome. Organizations were required to fill out annual reports, quarterly financial reports, and a separate yearly report for planned activities. If there were changes in their activities, NGOs were required to inform the FRS. This requirement could be particularly problematic when making adjustments for events like lectures that were difficult to plan in advance. In addition, Gill believed it would be difficult for Human Rights Watch (HRW) to conduct human rights monitoring in Chechnya, since authorities might determine such activity to be objectionable and accuse HRW of threatening the national security of Russia.

18. (C) Looking more broadly at the state of civil society, Shvedov believed that the law served to legitimize pressure and harassment that some NGOs, particularly those working in the North Caucasus, already faced. In responding to this pressure, it was important to go beyond simply making public statements. Greater emphasis should be placed on building the technical and legal expertise of NGOs. Shvedov noted that it would be easy to close many Russian NGOs since most did not have strong management that was able to meet previous legal requirements, let alone those under the new law. If there was a substantial increase in pressure after the G8 summit, as many NGO leaders expected, Russian NGOs would be unprepared. In addition, NGOs operating in Russia needed to build links with NGOs that operated in other countries and learn from their experience.

¶9. (C) Abrosimova agreed that it was important to share experiences with NGOs from other countries. She added that in response to the new law, IREX's USG-funded civil society program was working on creating an association of NGO lawyers to provide legal expertise and monitor court cases. They were also working on coordinating NGOs that do networking in the regions. IREX had already held USG-sponsored roundtable discussions on the transparency and accountability of NGOs throughout Russia.

#### MOSTLY NEGATIVE VIEWS ON PUBLIC CHAMBER ROLE

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¶10. (C) O'Hagan stressed the need for civil society to monitor the impact of the law on NGOs. Raguzina suggested that the Public Chamber could play a significant role in the monitoring process, but O'Hagan doubted the usefulness of independent NGOs giving a Kremlin-created body like the Public Chamber a major role in that process. While O'Hagan said it was important to have a dialogue with the Public Chamber, she criticized its performance during the development of the NGO law. Shvedov also expressed doubts about how much the Public Chamber could help civil society. Shvedov did not rule out working with the Public Chamber if it developed good programs, but he believed that it would be a mistake for independent NGOs to work with the Chamber to develop mechanisms to monitor the law. Simonov said the Public Chamber was part of a larger pattern of the Kremlin trying to impose top down control on civil society through Government Oriented Non-Governmental Organizations, (GONGOs).

¶11. (C) Abrosimova thought it would be useful for NGOs to create links with the Public Chamber by working on issues related to the Kremlin's National Priority Projects. Johnson agreed that it was important for NGOs to involve state-supported organizations like the Public Chamber. Johnson added that in his experience the key to having good relations with authorities was to avoid publicly embarrassing them. Johnson asserted that while the NGO law was vague and burdensome, the FRS had so far been responsive to IRI's inquiries. By not "picking fights" with officials and trying to involve the business community, Johnson said IRI had been successful in working in a number of different regions in Russia. Shvedov responded that Memorial did not try to pick fights with authorities, but he believed his organization would be targeted regardless of its approach. He noted that Memorial had already received warnings from the authorities about publishing information about Hizb-ut-Tahrir on its website and had undergone a number of tax inspections.

#### WHAT SHOULD THE USG DO TO HELP?

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¶12. (C) Responding to Barks-Ruggles' question about what the USG could do to help civil society in Russia, Aslamazyan responded that the situation in the country was complicated and urged a careful approach. It was not constructive to publicly cast GOR actions in black-and-white terms. McCormak noted that vocal public criticism from senior foreign officials on democracy and human rights affected NGOs in Russia since the authorities used it as an excuse to blame them for giving the country a bad reputation.

#### COMMENT

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¶13. (C) The tone of resignation amongst NGOs was striking in these conversations. They clearly view the new law as just one salvo in a long-term effort by the government to control their activities. They are working - some more rapidly than others - on strategies to survive and endure. It is clear that Russian NGOs feel more vulnerable than international NGOs as they will have both national and local pressure brought to bear on them, and have fewer resources and more

limited capacity to deal with the onerous new requirements in the regulations. It will be important for the USG and other donors to continue to support NGO work - both financially and diplomatically - as the pressure increases. Suggestions by these groups for capacity building, pooled "back-office" resources, and strengthening networks of indigenous and international NGOs merit increased attention. End Comment.

¶14. (U) DAS Barks-Ruggles has cleared on the text of this cable.  
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